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Letter dated 25 January 2005 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I write with reference to my letter of 19 October 2004 (S/2004/833). The Counter-Terrorism Committee has received the attached fourth report from Rwanda submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex). I would be grateful if you could arrange for the present letter and its attachment to be circulated as a document of the Security Council.

(*Signed*) Andrey I. **Denisov**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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Annex

Letter dated 24 January 2005 from the Permanent Representative of Rwanda to the United Nations addressed to the Chairman of the Counter-Terrorism Committee

I have the honour to transmit herewith the fourth report of Rwanda, containing additional information on comments raised by the Committee on Rwanda's first, second and third reports (see enclosure).

(*Signed*) Stanislas **Kamanzi**
Ambassador
Permanent Representative

Enclosure*

ADDITIONAL INFORMATION ON COMMENTS RAISED BY THE UN COUNTER TERRORISM COMMITTEE (CTC) ON RWANDA'S FIRST, SECOND AND THIRD REPORTS.

1. Implementation measures.

Rwanda has been undergoing legal reform and all-round restructuring of the entire justice system. Various laws have been reviewed including the Constitution and other laws on which specific laws like those on anti-terrorism, anti-money laundering are hinged. The process is over and various laws have been enacted including the Constitution, Criminal Procedure Code, Code of Organisation and Jurisdiction of Courts, Law of Evidence, Code of Civil, Commercial, Labour and Administrative procedure and Organic Law determining the organisation, and functioning of the prosecution services. The other drafts for specific laws are also ready.

1) The draft Penal Code

The draft Penal Code is attached, detailing offences and penalties applicable to them. The draft Penal Code introduces a new development in Rwandan Law, the principle of Universal Jurisdiction. This allows Rwandan Prosecutors to prosecute suspects who commit crimes in foreign Jurisdiction and found on Rwandan Territory. The draft Penal Code creates a variety of new offences that never existed in our Penal system. We would appreciate your input into the draft Penal Code forwarded to you. The draft law on Terrorism is also forwarded to you for your input.

2) Measures relating to the protection of Economic and Financial system in Rwanda.

Rwanda signed and ratified the United Nations Conventions against illicit trafficking in Narcotics and psychotropic substances. Drug trafficking and money laundering are interlinked and to this effect National Police established an Anti Narcotic Unit to combat drug trafficking and deprive criminal elements of the proceeds from illicit trafficking of drugs.

Rwanda National Police has economic and financial crime division that works closely with anti- terrorism unit and financial institutions in combating money laundering and terrorism financing. The division works closely with banking institutions in collecting

* Annexes are on file with the Secretariat and are available for consultation.

relevant financial information and other suspicious activities in financial institutions. In order to have access to relevant financial information, an officer from the economic and financial division was detached to work with the supervisory bodies in the National Bank of Rwanda.

From 5th July to 9th July 2004, officials from IMF and World Bank visited Rwanda and held working meetings with officers from Rwanda Central Bank (BNR), National Police (Economic and Financial Crimes Division & Anti Terrorism Unit). Also present were officers from the Ministry of Justice, Ministry of Trade and Commerce and officers from various Banking institutions in Rwanda. Officials from the IMF and World Bank promised support in setting up money laundering measures, which include establishing a Financial Intelligence Unit, and technical support in drafting legislation on money laundering.

The draft laws on Terrorism, and Money Laundering, contains anti-money laundering measures and punishes terrorism financing. The drafts are in Parliament for adoption.

Rwanda is a member of the Eastern and Southern Africa Anti-Money laundering group (ESAAMLG). This organ facilitates law enforcement agencies in information sharing and nature of money laundering in the region.

On International level, Rwanda has ratified the International Convention for the Suppression of the Financing of Terrorism (1999).

3) Implementation of the International Conventions against terrorism to which Rwanda is a party

I. International Convention for the suppression of the financing of terrorism, adopted by the General Assembly of United Nations on December 09th, 1999.

The above-mentioned Convention was ratified by a presidential order Ne 43/01 of 14/04/2002. Article 1 of the presidential order mentioned above states that: "The International Convention for the suppression of financing of terrorism, adopted by the General Assembly of the United Nations, on December 09th, 1999 is hereby approved and ratified and takes its full and whole effect".

ii. Convention of Organisation of African Unity on Prevention and Combating of Terrorism signed in Algiers on July 13th, 1999.

The above-mentioned Convention was ratified by a presidential order N• 39/01 of 14/04/2002. Article 1 of the Presidential Order mentioned above states that: "The Convention of the Organisation of African Unity on Prevention and Combating of Terrorism signed in Algiers on July 13th, 1999 is here by approved and ratified and take its full and whole effect".

iii. International Convention for the suppression of terrorist bombings, adopted by the General Assembly of the United Nations on December 15, 1997.

A presidential Order N• 40/01 of 14/04/2002 ratified this Convention. Article 1 of this presidential order approves and ratifies the above-mentioned Convention.

iv. International Convention against the taking of hostages adopted by the General Assembly of the United Nations on December 17th, 1979.

Article 1 of Presidential order N• 41/01 of 14/04/2002 ratified and approved the above mentioned Convention.

v. The Convention on the marking of plastic explosives for the purpose of detection, signed at Montréal on March 01, 1991.

This Convention was acceded to by a presidential order N•44/01 of 14/04/2002. Article 1 of the said presidential order approves and ratifies it, hence taking its full and whole effect.

vi. The Convention on the physical protection of nuclear material signed at Vienna on October 26, 1979.

The above-mentioned Convention was approved and ratified by the presidential order N•45/01 of 14/04/2002 in its article 1.

2. Assistance

Rwanda has not received Technical support from CTC. Rwanda therefore welcomes assistance in the areas of specialised training and acquisition appropriate technical equipment.

We are submitting a separate letter requesting for assistance.